

Serial No. **52253**

**APPLICATION FOR PERMISSION TO CHANGE POINT OF DIVERSION, MANNER  
OF USE AND PLACE OF USE OF THE PUBLIC WATERS OF THE  
STATE OF NEVADA HERETOFORE APPROPRIATED**

Date of filing in State Engineer's Office..... **JUN 21 1988**  
Returned to applicant for correction..... **JUL 20 1988**  
Corrected application filed..... **SEP 16 1988** Map filed..... **SEP 16 1988** proposed POD, August 14, 1986 under 50078,  
existing POD, proposed & existing POU

The applicant..... **Newmont Exploration Ltd.**  
Post Office Box 669..... of **Carlin**  
Street and No. or P.O. Box No. City or Town  
Nevada 89822..... hereby make application for permission to change the  
State and Zip Code No. Point of diversion, manner of use, and/or place of use  
Point of diversion and place of use of a portion  
of water heretofore appropriated under..... **Permit No. 50080**  
(Identify existing right by Permit, Certificate, Proof or Claim Nos. If Decreed, give title of Decree and  
identify right in Decree.)

1. The source of water is..... **underground**  
Name of stream, lake, underground spring or other source.
2. The amount of water to be changed..... **0.056 cfs (25 gpm) 13.14 mga**  
Second feet, acre feet. One second foot equals 448.3 gallons per minute.
3. The water to be used for..... **Mining and milling**  
Irrigation, power, mining, industrial, etc. If for stock state number and kind of animals.
4. The water heretofore permitted for..... **Mining and milling**  
Irrigation, power, mining, industrial, etc. If for stock state number and kind of animals.
5. The water is to be diverted at the following point..... **SW 1/4 NE 1/4 Section 35, T. 32N., R. 53E., MDB&M**  
Describe as being within a 40-acre subdivision of public survey and by course and  
**at a point from which the SE corner of said Section 35 bears S 32° 59' 01" E.**  
distance to a section corner. If on unsurveyed land, it should be stated.  
**a distance of 4,519.91 feet**
6. The existing permitted point of diversion is located within..... **SE 1/4 SE 1/4 Section 9, T. 31N., R. 53E.,**  
If point of diversion is not changed, do not answer  
**MDB&M at a point from which the southwest corner of said Section 9 bears S 83°**  
**24' 24" W, 4,436.23 feet**
7. Proposed place of use..... **E 1/4 Section 8; all of Sections 1, 3, 10, 12, and 14, T. 31N., R.**  
Describe by legal subdivisions. If for irrigation state number of acres to be irrigated.  
**53E., MDB&M; all of Sections 34 and 35, T. 32N., R. 53E., MDB&M; all of Section 31,**  
**T. 32N., R. 54E., MDB&M; all of Sections 4, 5, 6, and 18, T. 31N., R. 54E., MDB&M**
8. Existing place of use..... **All of Sections 3 and 4, T. 31N., R. 53E., MDB&M; all of Sections**  
Describe by legal subdivisions. If permit is for irrigation, state number of acres irrigated. If changing place of use and/or  
**33, 34, and 35, T. 32N., R. 53E., MDB&M**  
manner of use of irrigation permit, describe acreage to be removed from irrigation.
9. Use will be from..... **January 1**..... to..... **December 31**..... of each year.  
Month and Day Month and Day
10. Use is permitted from..... **January 1**..... to..... **December 31**..... of each year.  
Month and Day Month and Day
11. Description of proposed works. (Under the provisions of NRS 535.010 you may be required to submit plans and  
specifications of your diversion or storage works.)..... **A drilled and cased well, equipped with**  
State manner in which water is to be diverted, i.e., diversion structure, ditches,  
**a pump and motor, with storage tank.**  
pipes and flumes, or drilled well, etc.
12. Estimated cost of works..... **\$50,000**
13. Estimated time required to construct works..... **2 years**

14. Estimated time required to complete the application of water to beneficial use.....5 years.....

15. Remarks: For use other than irrigation or stock watering, state number and type of units to be served or annual consumptive use.

The water from this proposed well would be utilized for mineral exploration.

Total annual consumptive use for this application would not exceed 13.14 million gallons annually based on 25 gpm X 24 hours X365 days. Refer to supporting map filled under Permit No. 50078 for existing point of diversion, existing place of use and proposed place of use.

By /s/ Michael D. Buschelman Agent  
5405 Mae Anne Avenue  
Reno, Nevada 89523

Compared kh/jm pm/se

Protested

APPROVAL OF STATE ENGINEER

This is to certify I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit to change the point of diversion and place of use of a portion of the waters of an underground source as heretofore granted under Permit 50080, is issued subject to the terms and conditions imposed in said Permit 50080, and with the understanding that no other rights on the source will be affected by the change proposed herein. The well shall be equipped with a 2-inch opening and a totalizing meter must be installed and maintained in the discharge pipeline near the point of diversion and accurate measurements must be kept of water placed to beneficial use. The totalizing meter must be installed before any use of the water begins or before the proof of completion of work is filed. If the well is flowing, a valve must be installed and maintained to prevent waste. This source is located within an area designated by the State Engineer pursuant to NRS 534.030. The State retains the right to regulate the use of the water herein granted at any and all times.

This Permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

No perforations shall be put in the production casing from ground level to 100 feet.

The total combined duty of water under Permits 44052, 44056, 46346, 47341, 50078, 50079, 50080, 50243, 51809, 51810, 52253, and 52355 shall not exceed 587.8 million gallons annually.  
(CONTINUED ON PAGE 2)

The amount of water to be changed shall be limited to the amount which can be applied to beneficial use, and not to exceed 0.056 cubic feet per second but not to exceed 13.21 million gallons annually.

Work must be prosecuted with reasonable diligence and be completed on or before October 23, 1989

Proof of completion of work shall be filed before November 23, 1989

Application of water to beneficial use shall be made on or before October 23, 1992

Proof of the application of water to beneficial use shall be filed on or before November 23, 1992

Map in support of proof of beneficial use shall be filed on or before N/A

Completion of work filed IN TESTIMONY WHEREOF, I PETER G. MORROS, State Engineer of Nevada, have hereunto set my hand and the seal of my

Proof of beneficial use filed office, this 13th day of March

Cultural map filed

Certificate No. Issued

A.D. 19 89

*[Signature]*  
State Engineer

WITHDRAWN BY APPLICANT DEC 09 1998  
*[Signature]* STATE ENGINEER

## (PERMIT TERMS CONTINUED)

The total combined diversion rates of permits 44052, 44056, 46346, 47341, 50078, 50079, 50080, 50243, 51809, 51810, 52253 and 52355 shall not exceed 6.0 cubic feet per second.

The issuance of this permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies.

This permit is issued under the preferred use provisions of NRS Chapter 534. The manner of use of water under this permit is by nature of its activity a temporary use and any application to change the manner of use granted under this permit will be subject to additional determination and evaluation with respect to the permanent effects on existing rights and the resource within the ground water basin.

